

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MAVERICK CONSTRUCTION CORP.

Plaintiff

v.

C.A. No. 03-12537- WGY

BUILDING AND CONSTRUCTION  
TRADESCOUNCIL OF BOSTON;  
LOCAL 103, INTERNATIONAL  
BROTHERHOOD OF ELECTIRCAL  
WORKERS; AND LOCAL 223 OF  
THE LABORERS' INTERNATIONAL  
UNION OF NORTH AMERICA

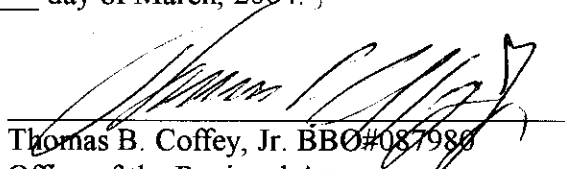
Defendants

DEFENDANT'S MOTION TO FILE  
IT'S LOCAL RULE 16.1(D)(3)  
CERTIFICATION OUT OF TIME

Comes now Defendant LIUNA Local 223 and requests leave of the Court to file its' Local Rule 16.1(D)(3) Certification out of time for the following reasons:

- (1) When counsel attempted to secure the signature of the business manager of defendant LIUNA Local Union 223, counsel was advised that he was out of state and would not otherwise be available until after the deadline for submission; and
- (2) Based upon a prior conversation with the business manager of defendant LIUNA Local Union 223, counsel was able to agree to the timely submission of the Federal Rule 26(f) Report and Joint Statement of the Parties, thereby avoiding any unnecessary delay, or prejudice to any party, in this matter.

Respectfully submitted this 12<sup>th</sup> day of March, 2004.

  
Thomas B. Coffey, Jr. BBO#087980  
Office of the Regional Attorney  
7 Laborers' Way  
Hopkinton, MA 01748  
Counsel for Defendant LIUNA Local 223